

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:	PROMESA Title III
The Financial Oversight and Management Board for Puerto Rico,	No. 17 BK 3283 (LTS)
As representative of	(Jointly Administered)
The Commonwealth of Puerto Rico, the Employee Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority	
Debtors	

**MOTION ADDING TO SUCESIÓN PASTOR MANDRY MERCADO'S PRIME  
CLERK CLAIM NUMBER 179550 THE RESOLUTION OF THE SUPREME  
COURT OF PUERTO RICO AND CERTIFIED TRANSLATION THEREOF,  
DENYING THE COMMONWEALTH OF PUERTO RICO'S SECOND MOTION  
TO RECONSIDER ITS PETITION FOR CERTIORARI**

**TO THE HONORABLE COURT:**

Comes Now Sucesión Pastor Mandry Mercado, excepting Javier Mandry Mercado, through its undersigned counsel and respectfully states and requests:

1. On August 31, 2021, Sucesión Pastor Mandry Mercado filed Prime Clerk Claim Number 179550 (the "Amended Claim"), intended to amend its original proof of claim number 6272 filed on April 19, 2018, for \$30,000,000.00, which notwithstanding remains pending and duplicated the Amended Claim for \$30,496,000.00, attaching thereto the judgment in Spanish entered by the Court of First Instance of Puerto Rico, Superior Section of Ponce in Civil Number JAC-2008-0853 (the "Court of First Instance").
2. On September 7, 2021, Sucesión Pastor Mandry Mercado filed a certified translation to the English language of said judgment for it to be appended to its Spanish version attached to the Amended Claim (**ECF No. 18049**), which was granted by the Court on September 24, 2021 (**ECF No. 18238**).

3. On November 1, 2021, Sucesión Pastor Mandry Mercado filed the judgment entered by the Court of Appeals of the Commonwealth of Puerto Rico (the “Court of Appeals”) in Case Number KLAN201901253 on September 14, 2021, affirming the judgment of the Court of First Instance with its certified translation to the English language (**ECF No. 18994**).

4. On March 29, 2022, Sucesión Pastor Mandry Mercado filed the resolution in Spanish, with a certified translation to the English language, entered by the Supreme Court of the Commonwealth of Puerto Rico (the “Supreme Court”) in Case Number CC-2021-0762 on January 21, 2022, denying the Petition for Certiorari filed by the Commonwealth of Puerto Rico (the “Commonwealth”) from the judgment of the Court of Appeals, to be added to the Amended Claim (**ECF No. 20459**), as to which the Court scheduled briefing as per its order of March 30, 2022 (**ECF No. 20468**). On April 13, 2022, the Court granted Sucesión Pastor Mandry Mercado’s motion to add the resolution of the Supreme Court denying the petition for certiorari to the Amended Claim (**ECF No. 20554**).

5. On April 8, 2022, Sucesión Pastor Mandry Mercado filed the resolution of the Supreme Court in Spanish with a certified translation to the English language denying the Commonwealth’s first motion to reconsider the denial of its petition for certiorari (**ECF No. 20528**). The Court scheduled a briefing as per its order of April 11, 2022 (**ECF No. 20532**) and on April 25, 2022, the Court granted Sucesión Pastor Mandry Mercado’s motion to add the resolution of the Supreme Court denying the Commonwealth’s first motion to reconsider the denial of its petition for certiorari to the Amended Claim (**ECF No. 20603**).

6. Sucesión Pastor Mandry Mercado is forwarding herewith the resolution of the Supreme Court in Spanish with a certified translation to the English language denying the Commonwealth’s second motion to reconsider the denial of its petition for certiorari and directing the Commonwealth to abide by its decision, dated June 10, 2022. Therefore, the decision of the Supreme Court is now final, turning that of the Court of First Instance in final and unappealable.

**WHEREFORE**, it is respectfully requested that the attached resolution of the Supreme Court and its certified translation to the English be directed to be made part of the Amended Claim, as set forth in the attached proposed order and that Prime Clerk Claim Number 6272 be considered withdrawn as duplicating the Amended Claim.

San Juan, Puerto Rico, this 18<sup>th</sup> day of July 2022

**s/CHARLES A. CUPRILL-HERNÁNDEZ**

**USDC-PR 114312**

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